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ABSTRACT

To understand the controversy over busing, it is necessary to understand the relationship between busing and the issues that are actually at the root of the controversy: desegregation and freedom of choice. Much of the political activity surrounding busing is a subtle transfer of attention away from the basic issue of desegregation. Other opponents to busing see it as another needless restriction on the freedom to choose one's residence and, concurrently, to choose the school to which one's children go. Because the Supreme Court has not rendered an absolute verdict on busing, school decision-makers are forced to live with the frequently fuzzy guidelines available. Congress and the President have adopted a wait and see stance that offers no leadership on the question. Social science research on busing is not helpful either as the research is not definitive in its findings. It is clear, however, that the attitudes of school officials and community leaders help to shape the attitude of the community and that the ultimate failure or success of busing and its goals, true integration and equality of educational opportunity, depends on the local community and its school leaders, not on Washington. (Author/IRT)

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SCHOOL LEADERSHIP DIGEST

The Busing Controversy

Dee Schofield

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FOREWORD

Both the National Association of Elementary School Principals and the ERIC Clearinghouse on Educational Management are pleased to continue the *School Leadership Digest*, with a second series of reports designed to offer school leaders essential information on a wide range of critical concerns in education.

The *School Leadership Digest* is a series of monthly reports on top priority issues in education. At a time when decisions in education must be made on the basis of increasingly complex information, the *Digest* provides school administrators with concise, readable analyses of the most important trends in schools today, as well as points up the practical implications of major research findings.

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INTRODUCTION

Few topics closely related to education have aroused such widespread attention and controversy as busing. It is an issue that all Americans encounter almost daily in the news, along with inflation and detente. Politicians on all levels, from school board members to the president of the United States, have been caught up in the busing conflict. The three branches of federal government—legislative, judicial, and executive—as well as state and local governmental units, have all played their parts in this controversy. And various pressure groups, both for and against, have contributed to the escalating conflict. Almost every citizen has a definite opinion on the issue of busing. It is a topic that seems to elicit strong emotional response, especially in certain parts of the country.

It is ironic that the familiar yellow school bus, for many a source of pleasant childhood memories, has assumed the properties of the serpent in Eden, spreading havoc and dissension wherever it goes. To understand this transformation in the image of the school bus, it is necessary to understand the relationship between busing and the issues that are actually the root of the controversy: desegregation and freedom of choice. The busing controversy is a classic case of confusion between means and ends.

The issue of racial desegregation has been the source of some of the most violent reaction and virulent rhetoric in this country. And when busing became recognized as one effective way to achieve racial balance in the schools, part of that antagonism was transferred to the erstwhile innocuous school bus.

The politically charged environment that surrounded desegregation was in part responsible for the escalating attack on busing. Certain politicians, who wished to cash in on the passions that racial desegregation aroused, assisted in the subtle transfer of attention away from the basic issue of

desegregation to the peripheral issue of busing. This rhetorical sleight-of-hand (or tongue) served to disguise sometimes obstructionistic tendencies. After all, desegregation wasn't being condemned, busing was. But the underlying issue remained the same, as one white resident of Coy, Alabama, recognized, when interviewed by the *New York Times*, "As long as we don't have niggers on there, it's not busing. Busing is making white children get on with niggers."

Of course, not all opponents of busing are either blatantly or subtly racist. Although the frequently obscured issue of desegregation often underlies the controversy over busing, the issue of freedom of choice also contributes to the conflict. The freedom to choose one's residence, and, concurrently, to choose the school to which one's children go, is cherished. However, historically this freedom has been difficult for many Americans to exercise. Economic and social factors have traditionally determined residential patterns, with those on the lower end of the economic scale (of all races) having less prerogative in deciding where they wish to live. So, as is the case with so many of our freedoms, the right to choose cannot be viewed as absolute. Too many factors intervene to restrict the ways in which this freedom may be exercised.

Some of the opponents of "forced" busing see it as just another needless restriction on individual freedom of choice. In these times of massive governmental regulation of the people, so they argue, compulsory busing for whatever purpose represents yet one more infringement on the rights of the individual. But it is essential to note in this argument that the basic issue is still not busing, per se, but rather the use of busing to accomplish what opponents view as restriction of freedom.

If Coleman's recent (1975) findings are correct, the two issues of desegregation and freedom of choice have become intertwined. In their effort to avoid desegregated schools (as well as desegregated neighborhoods), an increasingly large number of whites in urban areas have exercised their freedom of choice and fled to the suburbs. The result, according to Coleman, is massive *re*segregation, brought on in part by

large-city school desegregation efforts.

It is not the purpose of this paper to judge the merits of these issues in moral terms, even though a review of the literature on busing reveals that such an undertaking is difficult to avoid. Because of the emotions that this topic arouses and because these issues have served as the source of so much public controversy and grief for at least the last 20 years, it is hard for even the most scientifically rigorous researcher to avoid taking sides on the moral questions, just as it is hard for the reader to examine the literature with objectivity. However, the *legal* aspects of busing as a means to achieve racial balance can be objectively analyzed, as can the research measuring the effects of busing on students and on the community. In neither of these areas, though, are there clear-cut answers. The legal definition of desegregation and individual freedom of choice is an ongoing process, just as the investigation of the effects of busing is an uncompleted task.

A BRIEF HISTORY OF BUSING

Publicly funded pupil transportation, whether by bus or horse-drawn wagon, has had a long history in this country. In 1869, Massachusetts passed the first law allowing the use of tax money for pupil transportation. By 1919, all of the then 48 states had laws requiring or permitting pupil transportation at public expense.

The major impetus behind this move toward publicly funded transportation came from the consolidation of rural schools into larger, improved school districts. As early as the 1850s, the need to provide educationally deprived rural children with better schooling was recognized. But rural resistance to the turn-of-the-century equivalent of "forced busing" was widespread, and it echoed "the current emotional outcry," according to Blumenberg. As she states, "There was a fear then that consolidation might destroy small community life and that youngsters from rural areas might be adversely affected by the sophisticated, often 'godless' youngsters from the big cities."

While pupil transportation was used to equalize educational opportunity for rural children, it was also employed to enforce de jure segregation, especially in the South. In the 1930s and 1940s, bus transportation was readily provided for southern white children, whereas "many black families had to pay for private bus service or do without, and a significant number did without," according to Ozmon and Craver. And the time and distance that children were transported in order to keep them in segregated schools were sometimes quite great. In one southern state, black pupils boarded the bus at 7 a.m. and did not return home until 5:20 p.m. on the average, as Ozmon and Craver note. There was little protest from the white community over inconveniences caused by wide-scale busing.

Indeed, throughout the country support for busing has

traditionally been strong. The school bus is an established institution in American education which has received tremendous public support," according to the NAACP Legal Defense and Educational Fund. The use of busing has skyrocketed across the last three decades, with 43.5 percent of the total public school enrollment being bused in 1972, according to Department of Health, Education, and Welfare figures cited by the NAACP fund. Yet only 3 percent of this busing is for purposes of racial desegregation, according to recent statistics listed by Durham and other writers. It could be said that busing in the United States *is* "massive"; it involves approximately 19 million school children. But busing to achieve desegregation is *not* as widespread as many of its critics imply.

THE COURSE SET BY THE COURTS

The legality of student transportation by busing was generally unquestioned before busing came to be used as an instrument for desegregation. For this reason the judicial history of the busing controversy is closely tied to the judicial history of desegregation, dating from the 1954 Supreme Court *Brown v. Board of Education* decision. As *The Congressional Digest** states, "The issue of busing itself does not generally appear in the progression of desegregation cases as an issue separate and distinct"; however, if busing opponents succeed in getting Congress to pass additional legislation or a constitutional amendment restricting the use of busing for desegregation purposes, the courts would surely become involved in dealing more directly with this issue.

De Jure and De Facto Segregation

The litigation involving busing to achieve desegregation or racial balance is complex. To untangle it, the distinction between de jure and de facto segregation must be established. De jure segregation is "state enforced," as *The Congressional Digest* defines it. De facto segregation is inadvertent, not planned or sanctioned by law or by any governmental unit. As Justice Brennan stated in *Keyes v. School District No. 1, Denver, Colorado,* "The differentiating factor between *de jure* segregation and so-called *de facto* segregation . . . is purpose or intent to segregate."

The most obvious examples of de jure segregation were embodied in the dual school systems in the South. The illegality of such systems has been well established since the 1954 *Brown* decision, and such explicit manifestations of de jure segregation no longer exist. However, de jure segregation

*References to *The Congressional Digest* are from the article entitled "The 'School Busing' Controversy in the Current Congress."

also includes racial separation brought about by more subtle means. School boards can enforce segregation by gerrymandering school district boundaries to maintain racial separation. Local governmental bodies can discourage racial balance in residential patterns (which affect school attendance patterns) by a number of means, all within the scope of their authority. In recent years, the courts have increasingly addressed themselves to this form of segregation, which is not just confined to the South but is found throughout the country.

The constitutional issues involving busing to achieve desegregation revolve around the extent to which the courts may enforce the Fourteenth Amendment. This constitutional question dates back to the original 1954 *Brown* decision, as Bolner and Shanley point out. Two different interpretations of that Supreme Court decision have shaped subsequent court decisions.

The "de facto segregation interpretation" holds that "the Constitution . . . does not require integration. It merely forbids discrimination," as the federal district court held in *Briggs v. Elliot* (1955). In other words, according to this interpretation of *Brown*, only de jure segregation (rather narrowly defined) violates the principle of equal protection under the law expressed in the Fourteenth Amendment. As Bolner and Shanley note, parts of the 1954 *Brown* decision "[lend] force to the argument that the Court was addressing itself to legally required segregation and nothing more." According to this interpretation, freedom of choice desegregation plans are quite constitutional, since by eliminating legal sanction of segregation, the requirements of the Fourteenth Amendment are met.

The other interpretation of *Brown* holds that this decision and the Fourteenth Amendment on which it was based "prohibit all black pupil imbalances," as Bolner and Shanley state. The reasoning behind this interpretation dictates that since local government and the community are responsible for establishing or perpetuating discriminatory housing and economic policies, they are responsbile for school segregation, even if such segregation is not explicitly sanctioned. Therefore,

instead of doing nothing to achieve desegregation, local school authorities are "constitutionally required to take steps to assimilate minorities into the community," according to Bolner and Shanley.

Bickel points out that this "integrationist" interpretation of *Brown* is the essentially accurate one. If all the Supreme Court had wished to accomplish was the abolition of the *formal* legal system of segregation, it could have gone no further than eliminating the laws that enforced it. However, according to Bickel, "If that had been all that *Brown* demanded, it would have amounted to a sham, since the law of segregation bespoke attitudes that were still widely held, and that would have continued to have effect. And so the *Brown* decision had to be administered . . . for the sake of maintaining the integrity and credibility of the law." In other words, if the law in this instance is to be regarded as more than a statement of semantic niceties, it has to address the substance, as well as the legal forms, of segregation.

Once the courts decided to attack the substance and actuality of segregation, they placed themselves in the position to recommend remedies. And it is here that busing enters the scene. In the second *Brown v. Board of Education* decision in 1955, the Supreme Court issued an "enforcement decree" expressing the "all deliberate speed" formula. It directed federal district courts to closely examine "problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas . . . and regulations which may be necessary in solving the foregoing problems."

In accordance with this directive from the Supreme Court, the federal district court in New Rochelle, New York, (*Taylor v. Board of Education,* 1961) ordered the public schools to transport certain groups of students to certain schools to achieve a more equal ratio between blacks and whites. The Supreme Court, by refusing to review the case, implicitly upheld the ruling of the lower court. This case was but one of many in which federal courts in predominantly urban areas

have incorporated "remedial pupil assignments" and busing into their desegregation plans.

One of the most recent (and perhaps one of the most controversial) of these federal court decisions was the 1974 ruling by Judge W. Arthur Garrity ordering desegregation of Boston schools. Busing was one of the means to be used to accomplish desegregation, though the court ruling did not initiate busing in the Boston school system. It had been in use for a long time. As Abrams points out, the Boston decision was quite in accord with a well-established judicial trend, even though Garrity's ruling has been viewed by busing opponents as "a unique exercise in judicial adventurism."

Irresolution of the Supreme Court

While federal district courts have shouldered the responsibility for specifying desegregation means (mainly busing), the Supreme Court has steered clear of rendering an absolute verdict on busing, partly because of the legal complexities that surround its use. An examination of two recent decisions indicates these complexities. While these two decisions do not represent the complete picture of the Supreme Court's position on busing, they do show that the Court's position is in a state of evolution.

The *Swann v. Charlotte-Mecklenburg Board of Education* decision of 1971 has been generally considered an endorsement of busing for desegregation purposes. *The Congressional Digest*, among other sources, states that the Supreme Court "made its most extensive specific pronouncement on the subject, expressly endorsing the reasonable use of such desegregation measures." However, according to Bolner and Shanley, the Court's approval of busing for desegregation in this case was not that clear-cut.

The school system in Charlotte, North Carolina, had assigned pupils to schools nearest their homes, with some notable exceptions. Because of segregated residential patterns, the Charlotte school system was, therefore, also segregated. But as Jencks notes, busing had been used when

necessary to maintain segregation. Since the school board had been willing to bus under these circumstances, the Court argued, it could bus to achieve desegregation. Therefore, in this particular situation, the Court considered busing a permissible tool of desegregation.

However, as Bolner and Shanley point out, the Court stopped short of rendering a general judgment on the application of busing: "The rule that emerges from the Court's opinion is that it is not an impermissible tool of school desegregation. . . . But the main thrust of the Court's treatment of busing consisted of its now-famous 'limitation' on the permissible scope of busing." The Court stated that "no rigid guidelines as to student transportation can be given for application to the infinite variety of problems presented in thousands of situations." The "limitation" on the use of busing revolves around time and distance: "An objection to transportation of students may have validity when the time or distance of travel is so great as to either risk the health of the children or significantly impinge on the educational process."

The ambiguity of the Court's ruling in *Swann* is indicated by the subsequent litigation utilizing this decision, as Bolner and Shanley point out. While some courts have regarded the *Swann* ruling as "a brake on desegregation," others regarded it as a "ratification of busing in desegregation cases."

Viewed in the context of the "limitation" section of the *Swann* decision, the Supreme Court's 1974 ruling in the Detroit desegregation case (*Milliken v. Bradley*) does not appear to be as much a reversal of earlier policy as some have suggested. However, when viewed in the context of the *Brown* decisions, the Detroit ruling does seem to retard the desegregation process, at least in large urban areas, as Jones points out.

Although busing was not the central issue in *Milliken* and, therefore, "the majority opinion mentioned the busing issue only in passing," the decision still has implications for its use, as Mathews notes. One of the major questions addressed by the Court was the legality of urban-suburban, cross-district busing to achieve desegregation. As in many large cities, most

of Detroit's urban schools are black, and most of its suburban schools are white. Obviously, busing would have to be used to overcome this discrepancy. By ruling that cross-district, urban-suburban desegregation was not called for in the Detroit case, the Court implicitly ruled that "buses will not be allowed to transport children between cities and suburbs," as Mathews states. The implication of this ruling, according to Mathews, is that "perhaps for generations to come, school systems of most of the nation's largest cities, and of many medium-sized cities, will continue to be overwhelmingly black."

But as was true of the *Swann* ruling, the *Milliken* decision is not as clear-cut as it now seems to some observers. The decision was a 5-4 ruling, indicating a split among the justices themselves on the issues. It will take time for the implications of *Milliken* to be refined in further litigation.

Local school officials may be tempted to throw up their hands at the judicial snarl surrounding busing. It seems safe to conclude that until the Supreme Court rules more definitively on its use, school decision-makers will have to live with the frequently fuzzy guidelines available.

THE RETREAT OF CONGRESS AND THE PRESIDENT

The courts' ambivalence toward both desegregation and busing echoes a similar ambivalence on the part of Congress and the executive branch. In the last 20 years, these two branches of government have varied their policy toward desegregation, in part as a response to public opinion and in part as a result of the formation and dissolution of political alliances. The congressional coalition responsible for passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and other civil rights legislation had the active support of Kennedy and Johnson. With the election of Nixon in 1968, this coalition no longer could count on support from the executive branch. A new alliance opposed to desegregation and busing came into being, in large part at the instigation of Nixon and members of his administration, as Orfield points out. The impact of this opposition is still being felt in 1976.

Courts ordering the dismantling of segregated school systems in both the South and the North received congressional and executive support with the passage of the Civil Rights Act of 1964. Two separate titles of this act empowered the Justice Department and the Department of Health, Education, and Welfare (HEW) to "effectuate" school desegregation. The United States Attorney General was instructed by Title IV to "act . . . to obtain relief through legal process for persons or groups claiming to be deprived by a school board of the equal protection of the laws," according to *The Congressional Digest.*

Title VI gave federal "departments and agencies" the power to withhold funds from school systems practicing discrimination. Under the authority of this title, HEW issued during the 1960s a series of school desegregation guidelines that specified conditions school systems were obliged to meet in order to receive federal assistance. To comply with these guidelines,

school districts sometimes had to incorporate busing into their desegregation plans.

But beginning even before the end of Johnson's administration, Congress initiated what were to become increasingly emphatic attempts to curb the authority of federal agencies to enforce compliance with court-ordered and statutory desegregation. As Bolner and Shanley point out, when desegregation came to be defined by HEW and the courts as "racial balance," many congressmen, especially moderates from the North and West, changed their positions on this issue. Orfield states that Congress, when faced with the far-reaching changes necessitated by the Civil Rights Act of 1964, backed off from its previous supportive position. When Congress passed this act, "it set in motion a revolution in American education that soon went beyond the dimming vision of many of the law's sponsors." In other words, Congress bit off more than it, and perhaps its constituency, could swallow.

The increasing hesitancy in Congress to continue strong support for civil rights in education (specifically, for school desegregation) was nurtured and expanded by the Nixon administration. The retardation of school desegregation across the country was an integral part of John Mitchell's so-called "Southern Strategy," as Rather and Gates point out. Nixon's opposition to busing (and implicit support of segregation) was intended to court the favor not only of southern conservatives but also of the northern blue-collar class as well. Hence, when school desegregation through busing became an issue in northern urban (and largely blue-collar) areas such as Pontiac, Michigan, erstwhile moderate congressmen (Robert Griffin, for example) turned into vigorous busing opponents.

Constitutional amendments prohibiting the use of busing to achieve racial balance in the schools were introduced, though they did not enjoy the support of Nixon, who thought that an amendment would not stand a good chance of ratification by the requisite number of states. Other proposed "anti-busing" legislation would have cut off gasoline allocation to school buses, denied public legal assistance to persons seeking redress for discrimination in the schools, and even prohibited

"judicial efforts to enforce the desegregation requirements of the Constitution itself," as Orfield points out.

Congressional and executive attempts to curb the power of the courts in the area of desegregation came to a head in 1972 when Nixon introduced the Student Transportation Moratorium Act and its companion bill, the Equal Opportunities Educational Act. The busing moratorium would have prevented the Supreme Court and the lower courts from enforcing, for a certain period of time, the equal protection clause of the Fourteenth Amendment in school desegregation cases. The equal educational opportunities bill would have severely restricted the use of busing and, as a direct assault on the Civil Rights Act of 1964, would have opened to reconsideration and revision all "court orders or desegregation plans under Title VI" of that act. In other words, any school district dissatisfied with a legally sanctioned, federally enforced desegregation plan could petition to disregard the law.

This legislation struck at the very heart of the balance of power so necessary to the American system of government, as numerous constitutional scholars pointed out. The constitutional question became, "Can Congress by legislation block the courts from enforcing fundamental rights?" as Stone phrases it. Neither of these bills was ever tested in the courts, though the "opportunities" bill received heavy support in Congress, especially in the House. It was blocked from passage only by a last-ditch filibuster by Senate liberals, according to Bolner and Shanley.

Orfield states that while many congressmen and senators are well apprised of the unconstitutional nature of much of the "anti-busing" legislation, they feel pressed to support it. The pressure exerted on elected representatives has been unusually extreme in the case of desegregation issues (especially busing). In the absence of strong presidential support for desegregation, Congress frequently has been unable to balance, with calm consideration, the emotions and violent reactions that these issues arouse, according to Orfield.

Local school officials looking to Washington for guidance in the matter of busing will probably continue to be

disappointed, at least in the immediate future. President Ford and Congress seem to have adopted a "wait and see" attitude toward this issue. National policy-makers seem to be looking more and more to social scientists (such as James Coleman) for enlightenment on desegregation and busing questions. However, given the current state of the research on the effects of busing and desegregation, it would seem wise not to count too strongly on clear-cut answers from social science in this area.

THE DEBATE BETWEEN SOCIAL SCIENTISTS

Researchers who have examined the effects of busing and desegregation should, in theory, be able to tell policy-makers whether desegregation is achieving its intended goals, including the equalization of educational opportunity. Their research findings should help to specify the optimum conditions under which students' academic achievement may be improved, as well as to specify the conditions that lead to the development of positive self-concept and the nurture of constructive interracial relations. And the research should identify the best ways in which to implement school desegregation without arousing animosity in the community.

Regrettably, social science has provided few substantial, definite answers to these questions, partly because of the complex nature of the problems and partly because of inadequate research. As Felice, and Pettigrew and others point out, two important research criteria are rarely met in studies on desegregation and busing. First, "longitudinal" data, collected from the same subjects over a long period of time, are lacking. Instead, cross-sectional data are frequently collected from different groups of subjects, functioning under different circumstances, often in different locations. Cross-sectional data are obviously less reliable than longitudinal data.

Second, adequate control groups are frequently not utilized, according to these critics, making the relationships among variables difficult to determine. Another research problem lies in the difficulty of separating the effects of busing from those of desegregation, since in many cases the two occur simultaneously, though they are hardly synonymous.

The net result of these research problems has been the generation of inconclusive, often contradictory findings. As Nicoletti and Patterson point out, "Relevant research . . . has been very limited and results equivocal depending on the location or year of the data collected." The closest thing to

unequivocal research results is the finding that "attitudes toward forced busing have been, for the most part, negative," according to Nicoletti and Patterson. The research indicates, too, that when local officials oppose court-ordered or statutory desegregation involving busing, the amount of community opposition also rises. It must be noted, however, that neither of these findings indicates anything about the effects of desegregation and busing on the students' performance in school.

Disagreement on the Data

The inadequacies of much of the research have led social scientists to quibble among themselves over the validity of various findings. One such argument is between Armor and Pettigrew and his associates. In a now famous article published in 1972 ("The Evidence on Busing"), Armor questions the validity of the assumption (made by both social scientists and policy-makers) that increased contact between races leads to improved achievement and adjustment for the minority group. Armor did not deny the validity of Gunnar Myrdal's classic "vicious circle" hypothesis that segregation leads to inferiority feelings, which in turn lead to inability to succeed. But he does suggest that the means employed to break this circle have not succeeded in the manner expected.

Using data from studies conducted in White Plains (New York), Riverside (California), Hartford and New Haven (Connecticut), and Ann Arbor (Michigan), as well as data from his own study of Boston's voluntary METCO busing program, Armor investigated achievement, "aspiration and self-concept," race relations, longterm educational effects, and program support from the communities involved. According to his interpretation, he found little positive to recommend desegregation by busing.

Desegregation has not had an effect on academic achievement "as measured by standardized tests," Armor states. Neither has it measurably improved the self-concepts of minority children, who "do tend to have lower self-esteem"

both before and after desegregation. He states that his examination of the data suggests that "integration heightens black racial consciousness and solidarity"; thus, instead of drawing the races together, desegregation seems to be pushing them apart. According to Armor, bused students are more opposed to desegregation than are nonbused students. He did discover that desegregation led to more black students enrolling in colleges and universities. He attributes this heightening of aspiration to "better counseling and better contacts with college recruiting officers" in white middle-class schools.

Armor also found that a majority of the parents of black students supported busing and desegregation because they believed it led to better education for their children, not because it led to increased contacts with whites or because they wished to remove their children from the city environment. Although none of the studies Armor examines involved the mandatory busing of white students into black communities, parental support (from both black and white) for the busing programs was high, though it was higher for black parents than for white.

From his examination of the data Armor concludes that the traditional "justification" for school desegregation (that it breaks the "vicious circle" of segregation) is called into question. He states that his examination especially questions the validity of "mandatory busing (or induced integration) programs," though "these findings should not be used to halt voluntary busing programs."

Pettigrew and his colleagues (Useem, Normand, and Smith) take issue with Armor over his selection of data, his standards, and his conclusions. These authors contend that it is misleading for Armor to present the studies he examines as "*the* evidence on busing," since he omitted "at least seven investigations that meet the methodological criteria and that report *positive* achievement results for black students." Pettigrew and others list these seven studies.

They also contend that Armor establishes "unrealistically high standards by which to judge the success of school desegregation," including using only one year in which to

observe its effects. This is far too short a period, the Pettigrew team maintains. They also criticize Armor's METCO study on which "the paper's anti-busing conclusions rest." This study is methodologically weak, due to "an enormous non-response rate" in the second part of the study and to inadequate control groups, they claim. And finally, they point out that Armor's paper "is not about 'busing' at all, much less 'mandatory busing'." Therefore, his criticism of busing is invalid.

While the research surveyed by these sparring social scientists is not exhaustive, it is representative of the studies available on desegregation and busing. Because the results are contradictory and inconclusive, they are subject to different interpretations. Even the 1966 *Equality of Educational Opportunity* study conducted by Coleman and others has been subject to the same variance of interpretation, as Coleman himself has noted. This report, which has since been used as evidence by both desegregation opponents and proponents, was a comprehensive survey of the prevalence and effects of segregation. Yet its conclusions were not as clear-cut as many thought. The report's conclusions are now being questioned, along with the desegregation policy they in part inspired.

Social Science and Policy-Making

What is the relationship between the results of social science research and policy formation? What role does (and should) the social scientist play in shaping policy? These questions are raised when one examines the relationship between science and policy in the case of desegregation and busing. The use of research on desegregation in policy-making goes back to the original *Brown* decision. In addition to citing constitutional reasons why segregated schools were undesirable, the Supreme Court also incorporated research findings of sociologists to bolster its decision that segregation was harmful. Although the Court was careful to distinguish between the legal and sociological issues, it still used research as "reliable and valid evidence," according to Miller and

Kavanagh.

So from the very beginning of the desegregation controversy, lawmakers and adjudicators have looked to social science for guidance, though, obviously, public policy has not been based solely on the results of the research. The problem with this approach is twofold. First, the social scientist is perhaps inadvertently placed in the role of advocate, since the conclusions he or she draws from the data either support or fail to support desegregation and/or busing to achieve desegregation. Thus, instead of functioning solely as an objective measurer of social reality, the social scientist tends to become a judge of the validity (the "rightness") of that reality. The pressure on prominent sociologists such as James Coleman to say whether desegregation and busing are "right" is tremendous, even though to say so one way or the other is to implicitly cross over into the realm of policy-making.

The second part of the problem lies in the weak nature of much of the research. Since social science has so far been unable to render clear-cut findings in the areas of desegregation and busing, the interpreter is tempted to attend only to those studies that reinforce his preconceived notions and biases, while neglecting those studies that support opposite views. Such selective inattention is a well-documented psychological phenomenon; all human beings (social scientists and policy-makers included) exercise this technique in some degree. But because the research offers so little guidance and because the issues of desegregation and busing arouse such strong, polarized reactions, the effects of selective inattention in this instance have serious consequences.

Young and Bress outline the implications of crossing the line between science and policy-making. Pointing out that social scientists often hold definite views about social justice and change, they state that "the social scientist who is strongly committed to a certain course of action may, without his lay audience's realizing it, blur his summary of the scholarly evidence into advocacy that nudges his 'facts' toward the policy intervention he sees as socially desirable."

The "lay audience" (including many policy-makers) tends to accept his judgments as scientifically valid and, therefore, true. And the "lay audience" can follow the same process of making the "facts" fit the biases. For example, congressmen opposed to busing might cite Armor's examination of some of the data, while congressmen who favor desegregation by busing might cite Pettigrew and his colleagues.

The point to be made is not that social scientists or policy-makers are conspiring to further their own interests and biases. They simply act in a quite predictably human manner. The point is that the conscientious decision-maker (at the national or local level) must recognize the dynamics involved in the interaction between social science and policy formation. He must realize that different conclusions may be drawn from the same raw data, and he should utilize only data from the most carefully and rigorously conducted studies. He should be aware of his own biases. And finally, he should not confuse sociological issues with legal ones, even though the two are related. Whether or not desegregation by busing achieves its desired educational and sociological goals, it is still the course dictated by the Fourteenth Amendment and by the United States Supreme Court.

CONCLUSION

By now it should be evident that school district administration is restricted by the federal judicial and congressional guidelines governing desegregation and busing. Some local administrators rail at federal circumvention of their power in these areas. And some complain that the feds fail to comprehend the unique nature of individual circumstance; they maintain that the complex problems raised by busing and desegregation must be dealt with locally and without interference if they are to be solved.

Whatever the merits of these arguments, it is highly unlikely that, in the near future, the local school district will be given full discretion in these areas. As noted above, busing and desegregation involve constitutional issues, and the federal government is charged with protecting and preserving the Constitution.

But even though the legal authority of local officials is determined by federal law, the implementation of desegregation and busing is still within the jurisdiction of school district leaders. This power to implement can be effectively used to smoothly achieve desegregation in the schools, or it can be used to impede the course of federal policy.

The attitude of local school officials and community leaders helps to shape the attitude of the community as a whole toward busing and desegregation. Although it is likely that in any community certain citizens will oppose these policies, research shows that unless leaders exhibit opposition, community opposition remains low. If, as has been the case in some districts (Boston included), school officials oppose busing to achieve desegregation, then not only is bad feeling generated in the community, but student achievement and adjustment to desegregation can be impaired, as Felice has found.

Clearly, school administrators are integrally involved in

busing and desegregation. And, although there are restrictions on their authority in these areas, they are hardly powerless to affect the outcome of federal policy. The ultimate failure or success of busing and its goals, true integration and equality of educational opportunity, depends on the local community and its school leaders, not on Washington.

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